

## **REMARKS**

Claims 34-43, 45, 46, and 49-60 are presently pending and stand rejected. Claims 1-33, 44, 47, and 48 are cancelled without prejudice. Claims 34-43 and 45-48 were rejected. Claim 44 was objected to, but was indicated as allowable. Assignee appreciates Examiner's indication of allowable subject matter.

Claim 34 is amended to recite, among other limitations, "wherein selecting the power state further comprises: configuring a PHY layer to restart and negotiate at a predetermined speed; and increment advertized capabilities until link presence is detected", which were also recited, among other limitations, in claim 44 which was indicated as allowable. Newly added claim 49 also recites the foregoing, among other limitations.

It is believed that claim 34 and 49 are allowable. Assignee reiterates that Mills does not teach the foregoing. In fact, Mills teaches "Likewise, a third benefit, according to an embodiment, is that link suspend is defined to a state which each agreed to during negotiation and is thus not lost, by merely suspended when exited from. Thus, exiting from and re-entering into the LS state does not require the two link partners to re-negotiate a link." Col. 14, Lines 13-22. Thus, Assignee respectfully requests allowance for claim 34 as now amended.

## **Conclusion**

For at least the foregoing reasons, it is respectfully submitted that each of the pending claims are allowable, thereby placing the application in a condition for

allowance. Accordingly, a notice of allowance is respectfully requested.

It is believed that all monies for any actions requested in this correspondence are submitted with this correspondence. To the extent that additional monies are required for any actions requested in this correspondence, Commissioner is authorized to charge deposit account 13-0017.

Respectfully Submitted,



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